

11CV3823  
Sand

JS 44C/SDNY  
REV. 5/2010

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS Thomas M Smalley DEFENDANTS MOTORS LIQ. General MOTORS

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) ATTORNEYS (IF KNOWN)

Denial of Claim, Usurpation, Usurf,  
CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Government Deny my Claim But Allow SSD TO Pay Claim

Has this or a similar case been previously filed in SDNY at any time? No? ☐ Yes? ☒ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☒ If yes, give date & Case No.

(PLACE AN [X] IN ONE BOX ONLY) NATURE OF SUIT 09-50026 #10021

ACTIONS UNDER STATUTES

CONTRACT		PERSONAL INJURY		PERSONAL INJURY		FORFEITURE/PENALTY		BANKRUPTCY		OTHER STATUTES	
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 362 PERSONAL INJURY -	<input type="checkbox"/> 610 AGRICULTURE	<input checked="" type="checkbox"/> 822 APPEAL	<input type="checkbox"/> 400 STATE						
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> 365 MED MALPRACTICE	<input type="checkbox"/> 620 OTHER FOOD &	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 410 ANTITRUST						
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input checked="" type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 430 BANKS & BANKING						
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 630 LIQUOR LAWS		<input type="checkbox"/> 450 COMMERCE						
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 340 EMPLOYERS'	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 640 RR & TRUCK		<input type="checkbox"/> 460 DEPORTATION						
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 345 MARINE	<input type="checkbox"/> 380 OTHER PERSONAL	<input type="checkbox"/> 650 AIRLINE REGS		<input type="checkbox"/> 470 RACKETEER INFLU-						
<input type="checkbox"/> 152 RECOVERY OF	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> 660 OCCUPATIONAL		<input type="checkbox"/> ENCED & CORRUPT						
<input type="checkbox"/> 153 RECOVERY OF	<input checked="" type="checkbox"/> 355 MOTOR VEHICLE	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> 690 OTHER		<input type="checkbox"/> ORGANIZATION ACT						
<input type="checkbox"/> 160 STOCKHOLDERS SUITS	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> (RICO)						
<input type="checkbox"/> 190 OTHER CONTRACT	<input type="checkbox"/> INJURY	<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 480 CONSUMER CREDIT						
<input type="checkbox"/> 195 CONTRACT PRODUCT		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 480 CABLE/SATELLITE TV						
<input type="checkbox"/> 196 FRANCHISE		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 810 SELECTIVE SERVICE						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 850 SECURITIES/						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> COMMODITIES/						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> EXCHANGE						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 875 CUSTOMER						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> CHALLENGE						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 12 USC 3410						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 890 OTHER STATUTORY						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> ACTIONS						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 891 AGRICULTURAL ACTS						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 892 ECONOMIC						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> STABILIZATION ACT						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 893 ENVIRONMENTAL						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> MATTERS						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 894 ENERGY						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> ALLOCATION ACT						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 895 FREEDOM OF						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> INFORMATION ACT						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 900 APPEAL OF FEE						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> DETERMINATION						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> UNDER EQUAL ACCESS						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> TO JUSTICE						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> 950 CONSTITUTIONALITY						
		<input type="checkbox"/> 385 PROPERTY DAMAGE			<input type="checkbox"/> OF STATE STATUTES						

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE:

DEMAND \$ OTHER Claim JUDGE DOCKET NUMBER

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☐ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☐ 1 Original Proceeding ☐ 2a. Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☒ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ 2b. Removed from State Court AND at least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☐ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☒ 4 DIVERSITY

IF DIVERSITY, INDICATE  
CITIZENSHIP BELOW.  
(28 USC 1322, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[ ]	[ ]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[ ]	[ ]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[ ]	[ ]
CITIZEN OF ANOTHER STATE	[X]	[ ]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ]	[ ]	FOREIGN NATION	[ ]	[ ]

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Tom Smalley  
Pob 93  
Lynnwile Iowa

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Motors Lia General Motors

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☐ MANHATTAN  
(DO NOT check either box if this a PRISONER PETITION.)

DATE SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

RECEIPT #

self Thomas M Smalley

[ ] NO  
[ ] YES (DATE ADMITTED Mo. \_\_\_\_ Yr. \_\_\_\_)  
Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)